# SFG 2023 | LEVEL 1 | Test #3 – Solutions | ForumIAS

**Q.1)** With reference to the Finance Commission of India, which of the following statements is correct?
a) It encourages the inflow of foreign capital for infrastructure development.
b) It facilitates the proper distribution of finances among the Public Sector Undertakings.
c) It ensures transparency in financial administration.
d) None of the statements (a), (b) and (c) given above is correct in this context.

**Ans) d**
**Exp) Option d is the correct answer.**
Set up under Article 280 of the Constitution, the Finance Commission is a Constitutionally mandated body that is at the Centre of fiscal federalism. Its core responsibility is to evaluate the state of finances of the Union and State Governments, recommend the sharing of taxes between them, lay down the principles determining the distribution of these taxes among States. Thus, **none of the statements given in above options are correct with reference to Finance Commission.**
The Finance Commission is required to make recommendations to the President of India on the following matters:
1) The distribution of the net proceeds of taxes to be shared between the Centre and the states, and the allocation between the states of the respective shares of such proceeds.
2) The principles that should govern the grants-in-aid to the states by the Centre (i.e., out of the consolidated fund of India).
3) The measures needed to augment the consolidated fund of a state to supplement the resources of the panchayats and the municipalities in the state on the basis of the recommendations made by the state finance commission.
4) Any other matter referred to it by the president in the interests of sound finance.
Source) UPSC CSE 2011

**Q.2)** Which of the following statements rightly explains the term 'federalism'?
a) It is a political system characterised by the division of power between the two Houses of Union Legislature.
b) It is a political system that involves giving dual citizenship to citizens compulsorily.
c) It is the system of having an elected and non-hereditary Head of the State.
d) It is a system of government in which power is divided between a central authority and various constituent units of the country.

**Ans) d**
**Exp) Option d is the correct answer.**
**Option a is incorrect:** The presence of **two Houses in a Legislature i**s termed as **Bicameralism**. However, **both Unitary** (like the **United Kingdom)** and **Federal** (like **United States of America)** polities **may have a Bicameral Legislature**. Hence this is **not a correct** definition of Federalism.
Generally, these two Houses have **different powers and functions**, with one being more powerful than the other. These two Houses are **present at the same level of polity** (such as both at the Centre like Rajya Sabha & Lok Sabha, or both at state level like Vidhan Sabha and Vidhan Parishad).
**Option b is incorrect: Dual citizenship** means that a **same individual is recognized as a citizen**, with some intrinsic rights, by **different sets of politie**s. It may mean that a person can hold citizenship of **two different countries** (like **Canada** allows), or it may also mean that a person is recognized as a citizen of both the **nation and the state** in which he is born/ resides (such as in the **USA**). However, **grant of Dual Citizenship** to citizens **does not necessarily** mean that a polity is Federal (as **Canada is a Unitary state**, while **USA is a**

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**federal** state, likewise **India** is a **federal** state, but it only has **Single citizenship**). Hence this statement is **incorrect.**

**Option c is incorrect:** A polity wherein the **Head of the State** is an **elected representative (not a hereditary head** such as a monarch), is known as a **Republic**, **not a Federal Polity**. Hence this statement is **incorrect.**

**Option d is correct:** A **feature** that can be said to be **constant** throughout all polities characterised as Federal, is that there is a **division of power across various tiers (levels of government)** - such as Centre, Regional/ State, Local, etc. **Federalism is a system of government in which power is divided between a central authority and various constituent units of the countr**y. A federation has minimum two levels of government. All these levels of governments enjoy their power somewhat independent of the other.

Source: NCERT Class XI, Constitution at Work, Chapter 7, Pg-154,155;
Indian Polity by Laxmikanth, 5th edition, Ch-3, Pg3.2; Ch-4, Pg-4.3, Ch-13

**Q.3)** With reference to the differences between Federal features of USA and India, consider the following statements:

1. The allocation of seats in upper houses of legislatures of both countries is on the basis of the population of each State.
2. While the states in America have been guaranteed territorial integrity, the states in India have not.
3. While there is a single constitution in India, in America each state has its own constitution.

Which of the statements given above is/ are correct?

a) 1 and 2 only
b) 2 and 3 only
c) 3 only
d) 1, 2 and 3

**Ans) b**

**Exp) Option b is the correct answer.**

Both India and the United States of America are federal polity in structure. This means that there is a division of power between a central and a regional government. However, there are significant differences in many features and structures relating to Federalism in both countries.

**Statement 1 is incorrect:** Both US and India have a bicameral legislature. The upper and the lower houses of US legislature are called as the House of Senate and the House of Representatives respectively, and the Indian Parliament has Lok Sabha and Rajya Sabha as its Lower and Upper house respectively.

**The allocation of seats in Rajya Sabha is made on the basis of the population of each State. However, in USA, all states are given equal representation in the Senate irrespective of their population. USA has 50 states and the Senate has 100 members–2 from each state.**

**Statement 2 is correct:** The United States of **America** was created as a result of an agreement among recently liberated states under British colonisation in North America. So, their **constitution was designed** such that the **autonomy and powers** of the **constituent states** were **preserved** to a great extent. So according to the **American constitution**, the **Central government cannot create or merge states** or alter their boundaries with a **simple legislation**, if at all, thus **almost guaranteeing their existence in perpetuity**. Hence the **states in America have absolute territorial integrity**.

On the other hand, in **India**, the **constitution created a federal polity** with a **bias** for a **strong centre**. So as per **Article 2, 3 and 4**, the **Central Parliament** can **easily create or destroy or merge a state**, or alter its boundaries or name, by passing a **simple legislation** with **ordinary procedure (simple majority)**, **without the consent** of the states involved. Thus, **states** in India, **do not have territorial integrity**. Rather, the **Indian nation** is the one whose **integrity is paramount**, as **no stat**e can **declare** that it is **seceding**. Hence this statement is **correct.**

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**Statement 3 is correct:** Despite being a federal polity, **India** has a **single constitution**, that **governs** governance at **both the centre** and in the **states**. This was done by the makers of the constitution to foster feelings of fraternity, brotherhood and unity among Indians, who are very diverse and were very loosely united at the time of independence.
On the other hand, since **America** was formed as a **result of agreement between states** coming together, they **retained their power** by opting to **run the government according to their own constitution**. Hence **each state in America**, has its **own constitution** in **addition to a common constitution** which is **applicable to the entire USA**. Hence this statement is **correct.**
Source: https://system.uslegal.com/state-constitutions/
https://system.uslegal.com/state-constitutions/
https://blog.ipleaders.in/difference-us-indian-federalism/
Indian Polity by Laxmikanth, 5th edition, Ch-13

**Q.4)** With reference to the changes in the territory of states/Union Territories in India, consider the following statements:
1. The Indian Constitution requires Parliament to get the consent of all state(s) involved in creation/ merger of states.
2. A Parliamentary bill providing for alteration in the boundaries of a Union Territory must be referred to the legislature of the concerned Union Territory.
Which of the statements given above is/ are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

**Ans) d**
**Exp) Option d is the correct answer.**
The constitution of India describes India as a Union in Article 1. Despite having a federal structure, where the state governments have reasonable autonomy within the spheres allocated to them by the constitution, the Indian constitution has a bias towards a strong Centre. So as is often used to describe Indian polity, the constitution is federal in structure but Unitary in spirit. This is visible in various provisions as well.
**Statement 1 is incorrect:** As per **Articles 2 and 3**, the **Parliament** at the Centre can **create new states, or make adjustments** in existing states (**size, boundaries, name,** etc). They mention that the Parliament does **not need to gain the consent of the state** in question, for **any** of the **activities** (**not just name or boundary change**) mentioned before. Hence this statement is **incorrect**.
The **Parliament can unilaterally** create or merge or change any territorial feature of any state. To do so, only a **simple legislation** requiring **ordinary/ simple majority** will be sufficient, and it would **not be considered** to be an **amendment under Article 368** (as per **Article 4).**
**Statement 2 is incorrect: A** bill contemplating the changes in the area/boundaries/name **of a state** can be introduced in the Parliament only with the prior recommendation of the President. Also, before recommending the bill, the President has to refer the same to the state legislature concerned for expressing its views within a specified period. But, i**n case of a union territory, no reference need be made to the concerned legislature to ascertain its views and the Parliament can itself take any action as it deems fit.**
Source: Indian Polity by Laxmikanth, 5th edition, Ch-5, Pg-5.1, 5.2, 5.5

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**Q.5)** Consider the following statements regarding the UNESCO Creative Cities Network:
1. Recently, Srinagar has been designated as a part of UNESCO Creative Cities Network.
2. The initiative will provide funding to the selected cities in various category in order to preserve the creative elements in urban areas.
3. India has become the only country having cities recognized for all the categories of creative field in the Network.
Which of the statements is/are correct?
a) 1 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

**Ans) a**
**Exp) Option a is the correct answer.**
**Recently UNESCO picked Srinagar as creative city. UNESCO Creative Cities Network (UCCN)** was launched in 2004 to promote cooperation among cities which recognized creativity as a major factor in their urban development.
**Statement 1 is correct.** Recently, UNESCO has selected **Srinagar** as part of the UNESCO Creative Cities Network (UCCN) under the **Crafts and Folk Arts category**. Srinagar became one of 49 cities worldwide to join the UNESCO Creative Cities Network (UCCN). In 2019, Mumbai has been designated as Creative City of Films.
**Statement 2 is incorrect.** There is **no provision of financial support** or funding under UNESCO Creative Cities Network. By joining the Network, cities acknowledge their commitment to **sharing best practices**, developing partnerships that promote creativity and the cultural industries, strengthening participation in cultural life and integrating culture in urban development plans. However, tag would give global recognition to the cities and help it in getting international funding.
**Statement 3 is incorrect. India does not have recognition for all the categories of creative field in the Network. The cities under categories of Design, Literature and Media Art are yet to be recognized.** The UNESCO Creative Cities Network covers seven creative fields: **Crafts & Folk Art, Design, Film, Gastronomy, Literature, Media Arts, and Music.**
1) **Mumbai** has been designated as **Creative City of Films** and **Hyderabad** a Creative City of **Gastronomy.**
2) Earlier, **Chennai and Varanasi** were included as UNESCO cities **of music** while **Jaipur** was included as the **City of Crafts and Folk Arts.**

Source: UNESCO Creative Cities Network(UCCN) -ForumIAS Blog
creative cities map | Creative Cities Network (unesco.org)
Explained: How Srinagar earned UNESCO creative tag -ForumIAS Blog

**Q.6)** Which of the following statements is correct regarding Cooperative Federalism?
a) Cooperative Federalism involves a competition between the Union and the states for more control over finances.
b) Bringing Cooperative Federalism in India will always require amendments in the federal scheme of Constitution under Article 368.
c) Cooperative Federalism mainly involves delegation of maximum possible legislative functions to the states by the Centre.
d) Article 261 of Indian Constitution ensures Cooperative Federalism in Public acts, records and judicial proceedings.

**Ans) d**

**Exp) Option d is the correct answer.**

The Indian model of federalism is 'cooperative', as laid down by the Supreme Court in State of Rajasthan v. Union of India. Cooperative Federalism believes in treating states as partners and not merely dependents or beneficiaries of the Union Government.

**Option a is incorrect:** Cooperative federalism means that though there is a constitutional provision for the distribution of powers, in practice, these powers are to be exercised jointly by the Centre and the states. These governments are interdependent and not independent.

**However, Competitive Federalism is a concept which envisions a vertical relationship between the states and the Union,** where the states are seen as dependents of the Union and have to compete among each other in order to receive bigger share of limited resources. Cooperative federalism does not signify a competition between the Centre and states for power. Hence this statement is incorrect.

**Option b is incorrect: Article 368** of the Indian constitution provides the mechanism for making amendments to the constitution. It has made the provision for a fairly rigid and difficult process of amendment on matters that have the potential to disturb the federal nature of our polity. However, cooperative federalism is more a concept and style of administration rather than actual change in legislative domains and respective powers of the Centre and the states, and hence most often no amendment, let alone amendment under Article 368, is required. **Hence this statement is incorrect.**

Some changes require amendments – **like the passage of the GST Act, but some like the abolishment of Planning Commission do not require any amendment**s.

**Option c is incorrect:** Cooperative Federalism is **not a way to re allocate division of legislative or executive powers between the centre and the states.** It is a concept which involves giving the states a bigger platform to express their needs and contribute ideas on how the Central and respective state governments can ensure maximum progress within the legislative spheres allocated to them by the Constitution. They both behave as partners, and hold discussions on how to best execute policies, within the existing framework, rather than the states being passive players who are dependent on the Centre for resources and direction. Hence this statement is incorrect.

**Option d is correct:** Cooperative federalism is the horizontal relationship between union and states and shows neither is above the other. Indian constitution has incorporated instruments to ensure co-operation between the centre and states to ensure that cooperation is necessary for the proper growth of the country.

**Article 261** of the Constitution of India provides that full faith and credit shall be given throughout the territory of India to all the public acts, records, and judicial proceedings of the Union and every State. This is a step to promote cooperation and faith between the centre and the states.

Source: https://economictimes.indiatimes.com/news/politics-and-nation/view-cooperative-competitive-federalism/articleshow/93806020.cms?from=mdr

https://www.thehindu.com/news/national/other-states/uttar-pradesh-to-organise-global-investors-summit-from-february-10-to-12/article65953985.ece

https://www.dtnext.in/tamilnadu/2022/05/29/tamil-nadu-to-attract-business-investments-from-germany

**Q.7)** Which of the following are provisions/ features of the Indian constitution that creates a federation with strong Unitary bias?

1. President's rule under Article 356.
2. Language to be used in the Legislature under Article 210.
3. Governor's power to reserve any Bill for consideration of the President.
4. Jurisdiction of the Union in relation to territories outside India.
5. Power of Parliament to legislate with respect to a matter in the State List.

Select the correct answer using the code given below:
a) 1, 2 and 4 only
b) 3 and 5 only
c) 1, 3 and 5 only
d) 1, 2, 3, 4 and 5

**Ans) c**

**Exp) Option c is the correct answer.**

The constitution of India describes India as a Union in Article 1. Despite having a federal structure, where the state governments have reasonable autonomy within the spheres allocated to them by the constitution, the Indian constitution has a bias towards a strong Centre. So as is often used to describe Indian polity, the constitution is federal in structure but Unitary in spirit. This is visible in various provisions as well.

**Option 1 is correct: Article 356** of **Part XVIII** of the Constitution relates to the provisions governing **declaration of Emergency,** specifically declaration of **President's Rule in a state (State/ Constitutional emergency)**. This is a type of emergency that is declared when the Governor of a state feels that the government of the state cannot be run in accordance with constitutional provisions. It results in the **control** of that **particular state going directly** into the hands of the **Centre.**

This means that the **executive decisions relating to that state** are taken by the **President on advice of the central Council of Ministers**, and the **legislation** for that state is done by the **Parliament, not the state legislature**. Thus, this provision gives extraordinary power to the Union, while diminishing the autonomy of the state considerably. Hence this option is **correct.**

**Option 2 is incorrect: Article 210** of **Part VI** of the Indian Constitution is a provision relating to the **procedures and working** of the **State Legislatures**. It details out which all **languages** may be used to conduct the **proceedings** in the State Legislature. It has **no bearing on Centre-State relations**. Hence it is an **incorrect** option.

**Option 3 is correct: Article 201** of **Part VI** of the Indian constitution relates to the **proceedings** in the **State Legislature**, specifically with respect to the **passage of Bills** and other legislations.

This provision gives a **special power** to the **Governor**, to **reserve any Bill** submitted for approval by the State Legislature, for **consideration of the President**. Doing so, **shifts the ultimate destiny** of such a Bill to the **Central Executive** (President advised by the Central Council of Ministers). After this step, the passage of the Bill is **dependent upon the wishes of the Central Executive**, giving it **greater power** than **State Legislative**. Hence this option is **correct.**

**Option 4 is incorrect: Article 260** of **Part VI** pertains to the **jurisdiction** of the **Centre to administer** and **matters related** to **territories outside India**. This is **not related** to giving the U**nion overwhelming powers** with respect to states. Hence this option is **incorrect.**

**Option 5 is correct: Article 249** of **Part VI** pertains to the **special provision** that **allows the Parliament** to **legislate on any matter** in the **State List** (in Schedule VII) (which is **normally** considered in domain of state legislatures, and hence o**ut of bound for the Union**, as it should be under Federal principle of Distribution of Power).

Although a **Special Majority** (⅔ members present & voting) in the **Rajya Sabha is required** to authorise this, still having such a provision provides **a way for the Union to exert power over the states**. Hence this option is **incorrect.**

Source: NCERT Class XI, Constitution at Work, Ch-7, Pg-161,162;
Indian Polity by Laxmikanth, 5th edition, Ch-13, Pg 13.3, 13,4, 13.5

**Q.8)** Consider the following statements with reference to the Central Information Commission:
1. Chief Information Commissioner is appointed by the President.
2. Chief Information Commissioner is not eligible for reappointment.
3. Information Commissioners hold office for a term prescribed by the Central Government or until they attain the age of 65 years.
4. The Commission has the power to order a Public Authority to compensate the complainant.
Which of the statements given above is/ are correct?
a) 1 and 4 only
b) 2 and 3 only
c) 1, 2 and 3 only
d) 1, 2, 3 and 4

**Ans) d**
**Exp) Option d is the correct answer.**
Central Information Commission was constituted through the provisions of the **Right to Information Act (2005)**. Hence, it is not a constitutional body. The Central Information Commission is a high-powered independent body which looks into the complaints made to it and decide the appeals.
**Statement 1 is correct:** The Commission consists of a Chief Information Commissioner and not more than ten Information Commissioners. **They are appointed by the President on the recommendation of a committee** consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and a Union Cabinet Minister nominated by the Prime Minister.
**Statement 2 and 3 are correct:** The **Chief Information Commissioner and an Information Commissioner shall hold office for such term as prescribed by the Central Government** or until **they attain the age of 65 years**, whichever is earlier. They are **not eligible for reappointments.**
**Statement 4 is correct:**
In appropriate cases the Central Information Commission may **order the public authority to compensate the complainant.** It may require the public authority to compensate the complainant for any loss or other.
Source: Indian Polity by Laxmikanth, 6th Edition Chapter 57
https://cic.gov.in/introduction

**Q.9)** With reference to the relations between the Central and state Executive in India, consider the following statements:
1. A single state is allowed to delegate its executive functions to the Central government.
2. The Centre cannot delegate its executive functions to a state government without its consent.
3. All decisions regarding delegations of executive functions between Centre and States are taken only by the President and respective state's Governor.
Which of the statements given above is/ are correct?
a) 1 only
b) 2 and 3 only
c) 1 and 2 only
d) 1 and 3 only

**Ans) a**
**Exp) Option a is the correct answer.**
**Statement 1 is correct:** The **constitution does not have a very rigid scheme of division** between the Centre & the States, when it comes to **Executive functions**. This has been **done to avoid situations of deadlock** while implementing laws. So, the Constitution has made **provisions that allow a state's Governor to**

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**delegate** some of the **executive functions of the state government** to the **Centre**, with the **consent of the Central government**. Hence this statement is **correct.**

**Statement 2 is incorrect: I**n order to ensure smooth functioning of administration, the **Constitution** has **provided for mutual delegation** of **Executive functions** between the **Centre and the states**. This means that **both can delegate** their executive functions to the others, either conditionally or unconditionally**.**

While a **state government/ legislature cannot delegate** its executive functions to the **Central government without its consent**, the **reverse is possible**. This means that the **Centre can delegate** its executive functions to a **state government, without its consent**, **provided** this **delegation is directed** by the **Parliament (through a law), not the President**. Hence this statement is **incorrect.**

**Statement 3 is incorrect: T**he **Centre can delegate** its executive functions to a **state government, without its consent**, **provided** this **delegation is directed** by the **Parliament (through a law), not the President**. **Hence** the **Parliament too may be involved** in a special case of delegation of Executive Power (when **delegation is made without consent** of the state government). So, it's **not just the President** and the **Governor** who are **involved in decisions regarding mutual delegation** of **executive functions**. Rather it **also involves** the **Central** government, the **state government**, and **on occasion, the Parliament**. Hence this statement is **incorrect.**

Source: Indian Polity by Laxmikanth, 5th edition, Ch-14, Pg-14.5

**Q.10)** Which of the following reasons are correct for Madras high court declaring Tamil Nadu legislation of granting internal reservation to the Vanniyar community unconstitutional?

1. There was no quantifiable data on population, socio-educational status and other parameters of community.
2. During the passage of the act, state legislature was not empowered to make changes in the Backward class lists.
3. The idea of internal reservation is not recognised under Indian Constitution and goes against the Basic Structure Doctrine.

Select the correct answer using the codes given below:

a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

**Ans) a**

**Exp) Option a is the correct answer.**

Recently, The Tamil Nadu Assembly had passed a special Act that divided the existing 20% quota for the 'Most Backward Classes/De-notified Communities' category into three parts. Among them, the largest share of 10.5% was specified as exclusive to the Vanniyar community and its various sub-castes.

**Statement 1 and 2 are correct.**

The Act has been **struck down** by Madras High Court due to **following reasons**:

1) The Act had been passed by the State **without any quantifiable data on population, socio-educational status,** and representation of the backward classes in the services.
2) The Act was **unconstitutional,** mainly on the ground that the **Assembly had no legislative competence to pass the law on the date of the enactment.** This was because the 102nd Amendment to the Constitution empowered the President to notify the backward classes list for each State was in force.
3) Later, the Government of India brought the **105th Amendment** to make it explicit that the States could make changes in the Backward class lists.

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4) The government acted hastily, as it had earlier appointed a commission under a retired High Court judge to compile quantifiable data on all castes so that the State could justify its 69% total reservation. But it did not wait for its report.

**Statement 3 is incorrect.** Supreme Court in 2020 has **acknowledged the concept of internal reservation** in India. It stated that states can provide internal reservation within Schedule Castes, Scheduled Tribes and socially and educationally backward classes to remove inequalities

Source: Reservation Within quota-ForumIAS Blog

SC verdict on internal reservation likely to impact Karnataka BJP too | Bengaluru News - Times of India (indiatimes.com)

**Q.11)** In India, other than ensuring that public funds are used efficiently and for the intended purpose, what is the importance of the office of the Comptroller and Auditor General (CAG)?

1. CAG exercises exchequer control on behalf of the Parliament when the President of India declares national emergency/financial emergency.
2. CAG reports on the execution of projects or programmes by the ministries which are discussed by the Public Accounts Committee.
3. Information from CAG reports can be used by investigating agencies to press charges against those who have violated the law while managing public finances.
4. While dealing with the audit and accounting of government companies, CAG has certain judicial powers for prosecuting those who violate the law.

Which of the statements given above is/are correct?

a) 1, 2 and 4 only
b) 2 only
c) 2 and 3 only
d) 1, 2, 3 and 4

**Ans) c**

**Exp) Option c is the correct answer.**

The Comptroller and Auditor General (CAG) of India is the constitutional authority, established under Article 148 of the Constitution of India.

He is empowered to Audit all receipts and expenditure of the Government of India and the State Governments, including those of autonomous bodies and corporations substantially financed by the Government.

The CAG is also the statutory auditor of Government-owned corporations and conducts supplementary audit of government companies in which the Government has an equity share of at least 51 per cent or subsidiary companies of existing government companies.

**Statements 2 and 3 are correct.** The reports of the CAG are laid before the Parliament/Legislatures and are being taken up for discussion by the Public Accounts Committees (PACs) and Committees on Public Undertakings (CoPUs), which are special committees in the Parliament of India and the state legislatures. Also, information from CAG reports can be used by investigating agencies to press charges against those who have violated the law while managing public finances. This was seen during 2G and Commonwealth Games scams.

**Statements 1 and 4 are *incorrect.*** CAG does not exercise exchequer control on behalf of the Parliament when the President of India declares national emergency/financial emergency. The CAG does not have any judicial powers.

Source) UPSC CSE 2012

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**Q.12)** With reference to the special provisions for legislations regarding special areas in India, consider the following statements:
1. An order by the President can repeal or amend any Parliamentary law with respect to Union territory of Andaman and Nicobar Islands.
2. The Legislatures of states having Tribal Areas can restrict application of Parliamentary laws in those areas.
3. The Governors of states having Scheduled Areas can direct the modification of Parliamentary laws in those areas.
Which of the statements given above is/ are correct?
a) 1 and 2 only
b) 3 only
c) 1 and 3 only
d) 1, 2 and 3

**Ans) c**
**Exp) Option c is the correct answer.**
The constitution has divided legislative subjects into 3 categories - Union, State & Concurrent List. The Parliament is entitled to legislate on any subject mentioned in the Union List (and Concurrent List) throughout the territory of India. However, the Constitution has stipulated certain exceptions to this rule, to accommodate the well-being of various diverse groups with special/ different needs in a vast country like India.
**Statement 1 is correct:** The President can make regulations for the peace, progress and good government of the Union Territories of– the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli and Daman and Diu, and Ladakh. A regulation so made has the same force and effect as an act of Parliament. **It may also repeal or amend any act of Parliament in relation to these union territories.**
**Statement 2 is incorrect: Article 244** of the Constitution also **declares some special areas** known as **Tribal Areas** (specifically in states of **Assam, Tripura, Meghalaya & Mizoram**), which are inhabited by **tribes who have not assimilated** with the modern society an**d need special protectio**n with respect to their environment, land and customs. In order to ensure this, according to the constitution, the **Governor** of these states (**not the State Legislatures**) can **declare** that **certain acts of the Parliament**, even if they fall under the Union List are **not applicable or apply with exceptions or modifications to these areas**. Hence this statement is **incorrect.**
**Statement 3 is correct: Article 244** of the Constitution envisages a **special system of administration** for certain **areas called Scheduled Areas** (enumerated in **Schedule V**). These areas are **inhabited by "aboriginals"** who are **socially and economically backward**, and hence **require special protection**. So, the constitution provides that the **Governors** of the **states enumerated in Schedule V** can **declare** according to their **discretion** that **certain acts of the Parliament**, even if they fall under the Union List are **not applicable or apply with exceptions or modifications to these areas**. Hence this statement is **correct.**
Source:
https://legislative.gov.in/sites/default/files/21_The%20Constitution%20%28Andaman%20Nicobar%29%20ST%20Order%201959.pdf

**Q.13)** Consider the following statements with reference to the Lokpal and Lokayukta:
1. There is no uniformity of powers of Lokayukta of different states.
2. Lokpal cannot Suo motu proceed against any public servant.
3. The Prime Minister has been kept completely outside the purview of the Lokpal.

Which of the statements given above is/ are correct?
a) 2 only
b) 1 and 2 only
c) 2 and 3 only
d) 1, 2 and 3

**Ans) b**
**Exp) Option b is the correct answer.**
**The Lokpal and Lokayukta Act, 2013** provided for the establishment of Lokpal for the Union and Lokayukta for States. The Act allows setting up of anti-corruption ombudsman called Lokpal at the Centre and Lokayukta at the State-level. They perform the function of an "ombudsman" and inquire into allegations of corruption against certain public functionaries and for related matters.
**Statement 1 is correct:** As per the Lokpal and Lokayukta Act, 2013, **every state has the autonomy to frame their own laws, thus the Lokayukta's powers vary from state to state** on various aspects, such as tenure, and the need for sanction to prosecute officials. Some states such as Rajasthan, Karnataka, Andhra Pradesh and Maharashtra have created the Lokayukta as well as Up-Lokayukta, while some other states have created only the Lokayukta.
**Statement 2 is correct**: Unless a complaint has been made, **Lokpal cannot Suo motu proceed against any public servant.** As per the Lokpal Act, the "complaint" means a complaint, made in such form as may be prescribed, alleging that a public servant has committed an offence punishable under the Prevention of Corruption Act, 1988. Jurisdiction of Lokpal includes Group A, B, C and D officers and officials of Central Government.
**Statement 3 is incorrect:** The **Prime Minister has been brought under the purview of the Lokpal with subject matter exclusions** and specific process for handling complaints against the Prime Minister. The Lokpal has jurisdiction to inquire into allegations of corruption against anyone who is or has been **Prime Minister, or a Minister in the Union government, or a Member of Parliament.**
Source: Indian Polity by Laxmikanth, 6th Edition Chapter 60

**Q.14)** Which of the properties/ income of the states among the following are exempted from Central taxation?
1. Buildings and the offices of state government departments.
2. Equity & Debt Investments made by the state government.
3. Premises of state Public Sector Enterprises.
4. Machines imported for road construction, or tunnel digging by the state government.
Select the correct answer using the code given below:
a) 1 and 2 only
b) 2 and 3 only
c) 3 and 4 only
d) 1, 3 and 4 only

**Ans) a**
**Exp) Option a is the correct answer.**
**Statement 1 is correct:** Any **property/ income/ asset** which is used by the **state governments to carry out their sovereign functions** (carry out the **roles and duties** of **governance entrusted** to them by the **constitution**) are **exempt from taxation** by the **Central government.**

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Since the **buildings, housing and the offices** of various **government departments** are used to **provide governance services** to the people in a state, such **properties owned by the state** are **exempt from any taxation**. Hence this **Statement** is **correct.**

**Statement 2 is correct:** The **government**, both at Centre an in the states, **makes investments** in various **assets like equities and debt funds**, through proper channels in order to be able to **raise resources** for their budgets, so that they may meet r**evenue expenses** (welfare expenses like subsidies, pensions, salaries, etc) as well as **capital expenditure** (creating new infrastructure, etc). So, **such assets, although normally taxed**, are **exempt from central taxation** (such as **securities transaction tax, dividend distribution tax, capital gains tax, etc**), as it is in the **service of providing public service**s (a **sovereign function) by the state governments**. Hence this **Statement** is **correct.**

**Statement 3 is incorrect:** The Constitution mentions that **property or income of corporations or companies owned by the state government** (such as **state PSEs** like UP Power Corporation Ltd, etc) are **not exempt from Central taxation**, **even if** they are in the **service of the publi**c. Hence this **Statement** is **incorrect.**

**Statement 4 is incorrect:** The **Supreme Court** in an **advisory opinion in 1963**, held that the **immunity granted to a state** in respect of **Central taxation does not extend to Excise or Custom duties**. This means that **if a state imports anything, even** if it is **for a public purpose**, like **machines for digging tunnels or laying roads**, from abroad, it **will have to pay custom duty** (which is a **central tax**). Hence this **Statement** is **incorrect.**

Source: Indian Polity by Laxmikanth, 5th edition, Ch-14, Pg-14.11

**Q.15)** Consider the following statements regarding 'Bhasha Sangam Initiative':

1. It is an initiative of the NGO 'Leap for Word' in collaboration with Ministry of Culture.
2. The initiative aims to improve the English language skills of teachers at elementary levels in rural areas.
3. Bhasha Sangam Mobile App is developed to provide sentences of daily usage in both script and audio format.

Which of the statements given above is/are correct?

a) 1 and 2 only
b) 2 and 3 only
c) 3 only
d) 1 and 3 only

**Ans) c**

**Exp) Option c is the correct answer.**

**Statement 1 is incorrect. Bhasha Sangam** is an initiative of the **Ministry of Education** under **Ek Bharat Shreshtha Bharat**. Recently, Union Education Minister has launched the Bhasha Sangam Initiative for schools, Bhasha Sangam Mobile App and Ek Bharat Shreshtha Bharat Quiz App.

**Statement 2 is incorrect.** The aim of **Bhasha Sangam Initiative** is to **teach school students** basic sentences of everyday usage in **22 Indian languages**. This will help students to acquire basic conversational skills in an Indian language other than their mother tongue. It does not aim to improve the English language skills of teachers at elementary levels in rural areas.

**Statement 3 is correct. Bhasha Sangam Mobile App** is an initiative of the **Department of Higher Education** (DoHE) in collaboration with MyGov. The App initially has **100 sentences of everyday usage in 22 Indian languages**. These sentences are available in **both Roman script and in the script of the given language and also in audio format.**

Knowledge Base:

**Ek Bharat Shrestha Bharat:**

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1) Ek Bharat Shrestha Bharat was announced by the **Prime Minister on 31st October,2015** on the occasion of the 140th birth anniversary of Sardar Vallabhbhai Patel.
2) The scheme aims to **promote engagement amongst the people of different states/UTs** so as to enhance mutual understanding and bonding between people of diverse cultures, thereby securing stronger unity and integrity of India.
3) The **Ministry of Human Resource Development (Now Ministry of Education)** has been designated **Nodal Ministry** for coordination of the programme.

Source: Union Education Minister launches Bhasha Sangam initiative for schools, Bhasha Sangam Mobile App and Ek Bharat Shreshtha Bharat Mobile Quiz -ForumIAS Blog
Ek Bharat Shreshtha Bharat programme -ForumIAS Blog

**Q.16)** To protect the interest of states in the financial matters, the Constitution lays down that certain bills can be introduced in the Parliament only on the recommendation of the President. In this context, which of the following are those bills?
1. A bill which imposes or varies any tax or duty in which states are interested.
2. A bill which affects the principles on which money is distributed to states.
3. A bill which imposes any surcharge on any specified tax for the purpose of the Centre.
4. A bill which reduces the salaries and allowances of the members of Rajya Sabha.
Select the correct answer using the codes given below:
a) 1 and 2 only
b) 2, 3 and 4 only
c) 1, 2 and 3 only
d) 3 and 4 only

**Ans) c**
**Exp) Option c is the correct answer.**
**Articles 268 to 293 in Part XII** of the Constitution deal with Centre-state financial relations. The constitution of India has divided the legislative, executive, and financial powers between the centre and the states.
**Option 1, 2 and 3 are correct:** In order to protect the interest of states in the financial matters, the Constitution lays down that the following bills can be introduced in the Parliament only on the recommendation of the President:
1) A bill which **imposes or varies any tax or duty in which states are interested**;
2) A bill which varies the meaning of the expression '**agricultural income'** as defined for the purposes of the enactments relating to Indian income tax;
3) A bill which affects the **principles on which moneys are or may be distributable to states**; and
**4)** A bill which **imposes any surcharge on any specified tax or duty f**or the **purpose of the Centre.**
**Option 4 is incorrect:** A bill to regulate the income tax of military and paramilitary professionals along with salaries and allowances of the members of Parliament can be amended by a **simple majority of the two Houses of Parliament** without any recommendation from President of India. Further **these bills are outside the scope of centre-state financial relations.**
Source: Laxmikanth Chapter 14 Centre-State Relations

**Q.17)** With reference to Centre-state relations during emergency, consider the following statements:
1. During National Emergency, President of India can cancel the transfer of finances from the Centre to the states.

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2. During State Emergency, all the Money bills passed by the state legislature automatically gets reserved for the consideration of the President.
3. During Financial Emergency, Centre can give directions to the states to reduce the salaries of any class of persons serving in the state.
Which of the statements given above is/are correct?
a) 1 and 2 only
b) 2 only
c) 3 only
d) 1 and 3 only

**Ans) d**
**Exp) Option d is the correct answer.**
The Centre-state financial relations (under Articles 268 to 293 in Part XII of the Constitution) in normal times undergo changes during emergencies.
**Statement 1 is correct**: While the proclamation of **national emergency (under Article 352)** is in operation, the president can modify the constitutional distribution of revenues between the Centre and the states. This means that the **President can either reduce or cancel the transfer of finances (both tax sharing and grants-in-aid) from the Centre to the states**. Such modification continues till the end of the financial year in which the emergency ceases to operate.
**Statement 2 is incorrect:** Article 365 says that whenever a state fails to comply with or to give effect to any direction from the Centre, it will be lawful for the president to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution. However, there is **no provision of automatic reservation of Money Bill** passed by state government to President of India.
Under Financial Emergency, Centre can give directions to the states to reserve all money bills and other financial bills for the consideration of the President.
**Statement 3 is correct**: While the proclamation of financial emergency (under Article 360) is in operation, the Centre can give directions to the states: (i) to observe the specified canons of financial propriety; (ii) to **reduce the salaries and allowances of all class of persons serving in the state**; and (iii) to reserve all money bills and other financial bills for the consideration of the President.
Source: Laxmikanth Chapter 14 Centre-State Relations

**Q.18)** With reference to law making power in India, consider the following statements:
1. In India, only Parliament is authorized to make extraterritorial legislation.
2. The power to make laws with respect to levy of residuary taxes is vested in respective state legislature.
3. Both the Parliament and State legislatures has the power to make laws regarding Goods and Services Tax.
Which of the statements given above is/are correct?
a) 1 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

**Ans) c**
**Exp) Option c is the correct answer.**
**Statement 1 is correct:** The Parliament **alone can make 'extraterritorial legislation'**. The parliament may enact legislation that has an impact beyond the territories in the interest of the people who are native of

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India. Thus, the laws of the Parliament are also applicable to the Indian citizens and their property in any part of the world.

**Statement 2 is incorrect:** The **power to make laws with respect to residuary subjects** (i.e., the matters which are not enumerated in any of the three lists) is **vested in the Parliament**. This **residuary power of legislation includes the power to levy residuary taxes**.

Under this provision, the Parliament has imposed gift tax, wealth tax and expenditure tax.

**Statement 3 is correct:** The 101st Amendment has paved the way for the introduction of a new tax regime (i.e., goods and services tax - GST) in the country. Accordingly, the Amendment conferred **concurrent taxing powers upon the Parliament and the State Legislatures to make laws for levying GST on every transaction of supply of goods or services or both.**

Source: Laxmikanth Chapter 14 Centre-State Relations

**Q.19)** If Rajya Sabha passes a resolution under Article 249, Parliament can make a law with respect to certain matter in the State List. Under such scenario, which one of the following statements is correct?

a) The resolution must be passed with the prior recommendation of the President of India.

b) The resolution must be passed by a simple majority.

c) The resolution remains in force for the period prescribed by the Rajya Sabha but not exceeding two years.

d) The resolution does not restrict the power of a state legislature to make laws on the same matter.

**Ans) d**

**Exp) Option d is the correct answer.**

Under Article 249 of the Constitution, Rajya Sabha can authorize the Parliament to make a law on a subject enumerated in the State List.

**Option a is incorrect:** If the **Rajya Sabha declares** that it is necessary in the **national interest** that Parliament should make laws with respect to goods and services tax or a matter in the State List, then the Parliament becomes competent to make laws on that matter. The **resolution does not need prior recommendation of the President of India.**

**Option b is incorrect:** A resolution under Article 249 must be supported by **two-thirds of the Rajya Sabha members present and voting**.

**Option c is incorrect:** The resolution **remains in force for one year**; it can be **renewed any number of times but not exceeding one year at a time**. The laws cease to have effect on the expiration of six months after the resolution has ceased to be in force.

**Option d is correct:** The provision under Article 249 including the resolution **does not restrict the power of a state legislature to make laws on the same matter**. But, in case of inconsistency between a state law and a parliamentary law, the latter is to prevail.

Source: Laxmikanth Chapter 14 Centre-State Relations

**Q.20)** "This emerging technology is a network of always-on virtual environments in which many people can interact with one another and with digital objects through virtual representations of themselves. Many tech companies are aiming to introduce in many online activities, including work, play, studying and shopping." Which one of the following technologies is most appropriately described in the above given paragraphs?

a) Non-Fungible Tokens

b) Immersive Virtual Reality

c) Exascale Computing

d) Metaverse

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**Ans) d**

**Exp) Option d is the correct answer.**

The "**metaverse**" is a network of **always-on virtual environments** in which many people can interact with one another and digital objects through **virtual representations** of themselves.

There are **3 key aspects of the metaverse**: presence, interoperability and standardization.

1) **Presence** is the feeling of actually being in a virtual space, with virtual others. This sense of presence is achieved through virtual reality (VR) technologies such as head-mounted displays. It improves the quality of online interactions.
2) **Interoperability** means being able to seamlessly travel between virtual spaces with the same virtual assets. That is, one virtual representation created, can be used in different virtual worlds.
3) **Standardization-**These are common technological standards are essential for widespread adoption. This **enables interoperability** of platforms and services across the metaverse.

It is extremely important to the future of the economy and society as a whole. Companies like Facebook are aiming to make it the setting for many online activities, including **work, play, studying and shopping.**

Knowledge Base:

1) **Non-Fungible Tokens:** It is **data** added to a file that **creates a unique signature.** It can be an image file, a song, a tweet, a text posted on a website, a physical item, and various other digital formats. This basically means that someone can own a digital file (and that it's marked with code to differentiate it from any digital replicas).
2) **Immersive virtual reality**: It is the presentation of an **artificial environment that replaces users' real-world surroundings** convincingly enough that they are able to suspend disbelief and fully engage with the created environment. Immersiveness is an important element of virtual reality applications, such as VR gaming and VR therapy.
3) **Exascale computing:** It refers to **computing systems capable of at least one exaflop or a billion billion calculations per second** ($10^{18}$). That is 50 times faster than the most powerful supercomputers being used today and represents a thousand-fold increase over the first Peta scale computer that came into operation in 2008.

Source: What is the metaverse? 2 media and information experts explain-ForumIAS Blog
What are NFTs (Non-Fungible Tokens)? - Rumie-Learn
What is immersive virtual reality (immersive VR)? - Definition from WhatIs.com (techtarget.com)
https://www.lanl.gov/projects/exascale-computing-project/#:~:text=Exascale%20computing%20refers%20to%20computing,came%20into%20operation%20in%202008.

**Q.21)** Which one of the following in Indian polity is an essential feature that indicates that it is federal in character?

a) The independence of judiciary is safeguarded.
b) The Union Legislature has elected representatives from constituent units.
c) The Union Cabinet can have elected representatives from regional parties.
d) The Fundamental Rights are enforceable by Courts of Law.

**Ans) a**

**Exp) Option a is the correct answer.**

The establishment of an **independent judiciary** necessarily indicates the federal character of Indian polity. The Constitution establishes an independent judiciary headed by the Supreme Court to settle the disputes between the Centre and the states or between the states. This helps in maintaining the separate jurisdiction and authority of both the Centre and the States.

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Following are the federal features of Indian Constitution:
1) Dual polity consisting of the Union at the Centre and the states at the periphery.
2) Written Constitution
3) Division of powers between the Centre and the states (by Schedule VII)
4) Supremacy of the Constitution
5) Rigidity of the constitution
6) Bicameral legislature consisting of Rajya Sabha and Lok Sabha
7) Independency of judiciary
Source) UPSC CSE 2021

**Q.22)** Consider the following statements regarding 'Surcharge':
1. It is a tax levied by the government for specific purposes.
2. The proceeds from this tax are not shared with the state governments.
3. The 101th Constitutional Amendment allows the imposition of Surcharges over GST.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) 2 and 3 only
d) 1 and 3 only

**Ans) b**
**Exp) Option b is the correct answer.**
**Surcharge (under Article 271)** refers to an additional charge, fee, or tax that is added to the cost of a good or service beyond the initially quoted price. Surcharge is levied on the payable tax and not the overall income of those citizens who earn more than 50 lakhs per annum.
**Statement 1 is incorrect**: A surcharge applies to those persons whose income is more than Rs. 50 lakhs. This **money is not collected for any specific cause, but can be used for any reason as the Union Government sees fit.** Interestingly, it is applicable on the tax payable and not the total income. This collection also goes to the Consolidated Fund of India and **can be used for any purpose.** Cess is collected to raise funds for a particular cause like education, health, infrastructure, etc.
**Statement 2 is correct:** A surcharge is a tax on tax that is **imposed by the Union government but not shared with states. As it can be used for any public purpose as decided by the Union government,** this being an exception under Article 270 of the Constitution. Under this article taxes levied and collected by the Union and distributed between the Union and the States.
**Statement 3 is incorrect:** After to the **101st Constitution Amendment Act, 2016**, Article 271 has been amended to state that an **additional tax/surcharge cannot be imposed over and above the GST tax rates.** The GST Council's power to recommend a special rate is confined to raising resources only during any natural calamity or disaster.
Source: https://www.thehindu.com/opinion/op-ed/questions-about-the-gst-cess/article19710552.ece
https://www.newindianexpress.com/opinions/columns/2021/jun/24/revenue-for-states-bring-cess-surcharge-in-divisible-pool-2320559.html

**Q.23)** Which of the following type of taxes are imposed and collected by the Centre but the proceeds are assigned to the states?
1. Stamp duties on promissory notes
2. Estate duty in respect of property other than agricultural land
3. Stamp duties on bills of exchange
4. Taxes on railway fares and freights

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Select the correct answer using the codes given below:
a) 1 and 2 only
b) 2 and 4 only
c) 1 and 3 only
d) 3 and 4 only

**Ans) b**
**Exp) Option b is the correct answer.**
Article 268 to 293 in Part XII of the Constitution deal with Centre-state financial relations. it ensures stable revenue in a way to economic growth. Article 269 deals with certain taxes that are levied and collected by the central government but are assigned to the state government. All taxes on the "sale or purchase of goods" and "taxes on the consignment of goods" are covered by Article 269(1).
**Option 2 and 4 are correct:**
Succession Duty, Central Sales Tax, Estate Duty, **Taxes on railway fares and freights**, **Estate duty in respect of property other than agricultural land** are taxes that are imposed and collected by the centre but are assigned to the states. These taxes also do not come under Consolidation fund of India.
**Option 1 and 3 are incorrect: Stamp duties on bills of exchange**, cheques, **promissory notes,** policies of insurance, transfer of shares are the taxes that levied by the centre but collected and appropriated by the states. It is included in Article 268 of the Indian constitution. The proceeds of these duties levied within any state do not form a part of the Consolidated Fund of India, but are assigned to that state.
Source: Laxmikanth Chapter 14 Centre-State Relations

**Q.24)** With reference to different types of grants given to the states, which of the following statement is correct?
a) Statutory Grants are fixed amount of sum given to each state as decided in Budget of each financial year.
b) Discretionary Grants are given for raising the level of administration of the scheduled areas in a state.
c) Statutory Grants under Article 275 are given to the states on the recommendation of the Finance Commission.
d) Discretionary Grants needs to be approved by the Public Accounts Committee of Parliament before it can be voted by the Lok Sabha.

**Ans) c**
**Exp) Option c is the correct answer.**
Constitution provides for grants-in-aid to the states from the Central resources. There are two types of grants-in-aid, viz, statutory grants and discretionary grants.
**Option a is incorrect:** Article 275 empowers the Parliament to make grants to the states which are in need of **financial assistance and not to every state**. Also, different sums may be fixed for different states.
**Option b is incorrect:** Article 282 empowers both the Centre and the states to make any grants for **any public purpose**, even if it is not within their respective legislative competence. Under this provision, the Centre makes grants to the states. "These grants are also known as **discretionary grants.** These grants have a two-fold purpose: to help the state financially to **fulfil plan targets**; and to give some leverage to the Centre to influence and **coordinate state action** to effectuate the national plan."
Constitution provides for **statutory grants for promoting the welfare of the scheduled tribes in a state or for raising the level of administration of the scheduled areas in a state** including the State of Assam.
**Option c is correct**: Article 275 empowers the Parliament to make grants to the states

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which are in need of financial assistance and not to every state. **The statutory grants under Article 275 (both general and specific) are given to the states on the recommendation of the Finance Commission.**

**Option d is incorrect: Excess Grant (not Discretionary Grant)** is granted when money has been spent on any service during a financial year in excess of the amount granted for that service in the budget for that year. **Before the demands for excess grants are submitted to the Lok Sabha for voting, they must be approved by the Public Accounts Committee of Parliament.**

Under article 282, both centre and states are able to make any grants for public purpose even if they are not within their legislative competence.

Source: Laxmikanth Chapter 14 Centre-State Relations

**Q.25)** Consider the following statements:

1. The crude oil naturally exists in a liquid state whereas shale oil naturally exists in a solid state.
2. Shale oil extraction is preferable over crude oil extraction due to its potential to produce water as a byproduct.
3. At present, there is no large-scale commercial production of shale oil and gas in India.

Which of the statements given above is/are correct?

a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1 and 3 only

**Ans) d**

**Exp) Option d is the correct answer.**

Recently, Cairn Oil & Gas has announced that it is partnering with US-based Halliburton to start shale exploration in the Lower Barmer Hill formation, Western Rajasthan.

**Statement 1 is correct.** The main difference between crude oil and shale oil is that crude oil naturally exists in a liquid state whereas shale oil naturally exists in a solid state.

Shale oil is **an unconventional oil produced from oil shale rock fragments.** The other difference between shale oil (also known as Tight Oil) and conventional crude is that the shale oil is conventional crude deposits and its **extraction requires the creation of fractures in oil and gas rich shale** to release hydrocarbons through a process called hydraulic fracking**.**

**Statement 2 is incorrect.** The production of oil from shales has a **potentially serious impact on the environment**. Four specific areas of concern dominate discussion regarding development of the resource: greenhouse gas output, **water consumption and potential ground water pollution**, surface disturbance, and socioeconomic effects. **It does not produce water as a by-product.**

**Statement 3 is correct.** Currently, there is **no large-scale commercial production of shale oil** and gas in India. Earlier, State-owned ONGC had found prospects of shale oil at the **Cambay basin in Gujarat and the Krishna Godavari basin in Andhra Pradesh.** However, the company concluded that the quantity of oil flow observed in these basins did not indicate **"commerciality**" and that the **general characteristics of Indian shales are quite different from North American ones.**

Source: 'Tight oil': What is shale and its potential in India -ForumIAS Blog
https://pediaa.com/difference-between-crude-oil-and-shale-oil/#:~:text=The%20main%20difference%20between%20crude,%2C%20hydrocarbon%20occurrence%2C%20and%20production.

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**Q.26)** Which one of the following statements is correct regarding 'Zonal councils?
a) They are executive bodies constituted under the orders of Ministry of Home Affairs.
b) Each Zonal council consists of all Members of Parliament from that zone.
c) Each chief minister acts as a vice-chairman of the council by rotation for a period of one year at a time.
d) They are empowered with investigating powers on subjects in which the states or the Centre have a common interest.

**Ans) c**

**Exp) Option c is the correct answer**.

The idea of creation of Zonal Councils was mooted by the first Prime Minister of India, Pandit Jawahar Lal Nehru in 1956 when during the course of debate on the report of the States Re-organization Commission, he suggested that the States proposed to be reorganized may be grouped into four or five zones having an Advisory Council 'to develop the habit of cooperative working" among these States.

**Option a is incorrect:** The Zonal Councils are **the statutory (and not the constitutional or executive) bodies**. They are established by an act of the Parliament, that is, States Reorganization Act of 1956. The act divided the country into five zones and provided a zonal council for each zone.

**Option b is incorrect: All the Members of parliament are not represented in each Zonal council. Home minister** of Central government is the common chairman of the five zonal councils. Each zonal council consists of the following members: (a) home minister of Central government. (b) chief ministers of all the States in the zone. (c) Two other ministers from each state in the zone. (d) Administrator of each union territory in the zone.

**Option c is correct:** The **Chief Ministers of the States** included in each zone act as **Vice-Chairman** of the Zonal Council for that zone by **rotation,** each holding office for a **period of one year at a time.**

**Option d is incorrect:** Each Zonal Council is an **advisory body** and may discuss any matter in which some or all of the States represented in that Council, or the Union and one or more of the States represented in that Council, have a common interest and advise the Central Government and the Government of each State concerned as to the action to be taken on any such matter. It **has not been empowered with investigating powers.**

Source: https://www.mha.gov.in/division_of_mha/centre-state-division/zonal-council#:~:text=Each%20Zonal%20Council%20is%20an,concerned%20as%20to%20the%20action
Laxmikanth Chapter Inter State Relations

**Q.27)** Consider the following statements regarding 'Inter-State Trade and Commerce in India':
1. State legislature can make laws providing for monopolies in favour of the states.
2. State legislature can impose restriction on the freedom of trade only after prior approval from the President.
3. Both Parliament and State Legislature can give preference to one state over another in the case of scarcity of goods in any part of India.
Which of the statements given above is/are correct?
a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1 and 3 only

**Ans) b**

**Exp) Option b is the correct answer.**

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**Articles 301 to 307 in Part XIII of the Constitution** deal with the trade, commerce and intercourse within the territory of India. Article 301 declares that trade, commerce and intercourse throughout the territory of India shall be free. The object of this provision is to break down the border barriers between the states and to create one unit with a view to encourage the free flow of trade, commerce and intercourse in the country.

**Statement 1 is correct**: The freedom (under Article 301) is subject to the nationalisation laws (i.e., laws **providing for monopolies in favour of the Centre or the states**). Thus, the Parliament or the state legislature can make laws for the carrying on by the respective government any trade, business, industry or service, whether to that exclusion, complete or partial, of citizens or otherwise.

Parliament can **impose restrictions on the freedom of trade commerce** and intercourse between the states or within a state in public interest. But the Parliament cannot give preference one state over another or discriminate between the state **except in the case of scarcity of goods in any part of India.**

**Statement 2 is correct:** The legislature of a state can impose reasonable restrictions the freedom of trade, commerce and intercourse with that state or within that state in public interest. But, a **bill for this purpose can be introduced in the legislature only with the previous sanction of the president.**

**Statement 3 is incorrect:** Parliament can **give preference one state over another** or discriminate between the state only in the **case of scarcity of goods in any part of India**. State Legislature cannot give preference to one state over another or discriminate between the states.

Source: Laxmikanth Chapter 15 Inter State Relations

**Q.28)** Consider the following statements regarding Inter-State Water Disputes Act and River Boards Act of 1956:

1. The Inter-State Water Disputes Act empowers the Central government to set up an ad hoc tribunal for the adjudication of a dispute between two or more states.
2. The appellate jurisdiction against the order of the tribunal lies with Supreme Court of India only.
3. A river board can be established by the concerned state governments with the prior approval of Central government.

Which of the statements given above is/are correct?

a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1 and 3 only

**Ans) a**

**Exp) Option a is the correct answer**.

Article 262 of the Constitution provides for the adjudication of inter-state water disputes. It makes two provisions: (1) Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution and control of waters of any inter-state river and river valley. (2) Parliament may also provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint. Under this provision, the Parliament has enacted two laws [the River Boards Act (1956) and the Inter-State Water Disputes Act (1956)].

**Statement 1 is correct:** The Inter-State Water Disputes Act empowers the Central government to set up an ad hoc tribunal for the adjudication of a dispute between two or more states in relation to the waters of an inter-state river or river valley.

**Statement 2 is incorrect:** The decision of the tribunal would be **final and binding on the parties** to the dispute. **Neither the Supreme Court nor any other court is to have jurisdiction** in respect of any water dispute which may be referred to such a tribunal under this Act.

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**Statement 3 is incorrect:** The River Boards Act,1956 provides for the establishment of river boards for the regulation and development of inter-state river and river valleys. A river board is **established by the Central government on the request of the state governments** concerned to advise them
Source: Laxmikanth Chapter 12 Inter-State Relations

**Q.29)** Consider the following statements regarding the functions of Inter-State Council as per the Constitution of India:
1. It can enquire, decide and adjudicate upon disputes which may arise between states.
2. It plays a supportive role in the constitutional appointment of the Chief Election Commissioner.
3. It can discuss subjects in which the states have a common interest.
Which of the statements given above is/are correct?
a) 1 and 3 only
b) 1 only
c) 2 and 3 only
d) 3 only

**Ans) d**
**Exp) Option d is the correct answer.**
Article 263 contemplates the establishment of an Inter-State Council to effect coordination between the states and between Centre and states. Thus, the President can establish such a council if at any time it appears to him that the public interest would be served by its establishment.
**Statement 1 is incorrect and 3 is correct:** Even though the President is empowered to define the duties of an inter-state council, Article 263 specifies the duties that can be assigned to it in the following manner:
(a) **enquiring into and advising (not deciding) upon disputes which may arise between states**;
(b) investigating and **discussing subjects in which the states or the Centre and the states have a common interest;** and
(c) making recommendations upon any such subject, and particularly for the better co-ordination of policy and action on it.
**Statement 2 is incorrect:** Inter-State Council **does not play any role in any of the constitutional appointments** of the President, Chief Justice of India or Chief Election Commissioner. Various study group have suggested that the Council should not lend a hand in the constitutional appointments of the such as the President, the Chief Justice of India, the Chief Electoral Commissioner, the Governors etc.
Knowledge Base:
**Additional Information regarding Inter-State Council:**
**1) Members of the Inter-state Council:** The Prime Minister is the Chairman of the Inter-State Council. The Council members are the Chief Ministers of all the States and Union Territories with Assembly, the Governors of the Union Territories without Assembly, the Governors of the States under the rule of the President, and the six Ministers in the Cabinet nominated by the Council Chairman. The five ministers nominated by the council chairman are regular invitees to the cabinet.
1) The Council is assisted by a secretariat called the Inter-State Council Secretariat. This secretariat was set-up in 1991 and is headed by a secretary to the Government of India. Since 2011, it is also functioning as the secretariat of the Zonal Councils
Source: Laxmikanth Chapter 12 Inter-State Relations
https://www.legalserviceindia.com/legal/article-4723-inter-state-council-functions-and-powers.html

**Q.30)** 'Mysuru Declaration', recently seen in news, is related to which one of the following?
a) Development and Fabrication Electronic chips for automobile sector.
b) Inclusive and Accountable Local Self Governments in delivery of services.
c) Sustainable and Efficient production of inland fisheries in India.
d) Promotion and Development of disaster resilient infrastructure in urban areas

**Ans) b**

**Exp) Option b is the correct answer.**

**Mysuru declaration** is aimed at **recognising Citizen Centric Services** as the "Heart of Governance".

The Ministry of Panchayat Raj in association with National Institute of Rural Development and Panchayat Raj and Abdul Nazir State Institute of `Rural Development and Panchayat Raj, Mysuru had organised a National Consultative Workshop on Citizen Charter and Delivery of Services by Panchayats.

The declaration also aims to **promote inclusive and accountable Local Self Governments in delivery of services** in consonance with the priorities and the aspirations of our citizens.

**As part of the declaration,** participating states have committed to:

1) Increase the availability of Citizen Services at the grassroots levels in a timely and efficient manner, commencing with offering of the following basic, statutory and/ or essential services at the Gram Panchayat level from 1st April 2022
2) Implement the highest standards of professional integrity and accountability towards timely delivery of Public Services

Source: Mysuru Declaration on Service Delivery by Panchayats signed-ForumIAS Blog

**Q.31)** Which one of the following suggested that the Governor should be an eminent person from outside the State and should be a detached figure without intense political links or should not have taken part in politics in the recent past?
a) First Administrative Reforms Commission (1966)
b) Rajamannar Committee (1969)
c) Sarkaria Commission (1983)
d) National Commission to Review the Working of the Constitution (2000)

**Ans) c**

**Exp) Option c is the correct answer.**

Sarkaria Commission was constituted by the Government of India in 1983 to look after the situation on various matters, the most important being centre-state relations. The important recommendations of the Sarkaria Commission were -

1) Setting up a permanent inter-state council
2) Article 356 should be used sparingly
3) Institution of all-India service should be strengthened
4) Residuary power should remain with the parliament
5) Reasons should be communicated to the state when state bills are vetoed by the President
6) Centre should have powers to deploy its armed forces, even without the consent of states. However, it is desirable that the states should be consulted
7) Procedure of consulting the chief minister in the appointment of the state governor should be prescribed in the constitution itself
8) **The Governor should be an eminent person from outside the State**
9) **Governor should be a detached figure without political links or should not have taken part in politics in the recent past**
10) Governors should be allowed to complete their term of five years
11) Commissioner for linguistic minorities should be activated

Source) UPSC CSE 2019

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**Q.32)** A person named 'D' is involved in a car accident in the state of Maharashtra. As a result, Maharashtra civil court grants person 'D' Rs. 10,000 in damages. But the defendant person who ran into person 'D' lives in Rajasthan and refuses to pay 'D'. In such scenario, which one of the following statements is correct?
a) Person 'D' has to file a fresh appeal against the defendant in the civil court of Rajasthan in order to get relief.
b) The defendant has to pay the damages as the orders of civil courts in any part of India are capable of execution anywhere within India.
c) The defendant will not have to pay the damages as he is not the resident of the state of Maharashtra.
d) Person 'D' will have to seek remedy from the Supreme Court of India as the court of one state cannot enforce the penal laws of another state.

**Ans) b**

**Exp) Option b is the correct answer.**

Under the Constitution, the jurisdiction of each state is confined to its own territory. Hence, it is possible that the acts and records of one state may not be recognised in another state. To remove any such difficulty, the Constitution contains the "**Full Faith and Credit" clause**.

Under this clause, **final judgements and orders of civil courts in any part of India are capable of execution anywhere within India (without the necessity of a fresh suit upon the judgement).** The rule applies **only to civil judgements and not to criminal judgements**. In other words, it does not require the courts of a state to enforce the penal laws of another state.

Since, the nature of the case in the above illustration is civil, the judgement of civil court is applicable for execution anywhere within India. Hence, the defendant has to pay the damages as the orders of civil courts in any part of India are capable of execution anywhere within India

Source: Laxmikanth Chapter 12 Inter-State Relations

**Q.33)** The Belgaum territorial dispute, which is often seen in news, is related to-
a) Karnataka and Tamil Nadu
b) Telangana and Andhra Pradesh
c) Chhattisgarh and Madhya Pradesh
d) Maharashtra and Karnataka

**Ans) d**

**Exp) Option d is the correct answer.**

The Belgaum territorial dispute is between the **states of Karnataka and Maharashtra**. Currently, **Belgaum or Belagavi is part of Karnataka** but is claimed by Maharashtra. At the time of Independence, the region of Belagavi (the Belgaum) was part of the Bombay presidency. However, the region was integrated with the state of Mysore (now Karnataka) during the reorganization of states on linguistic lines.

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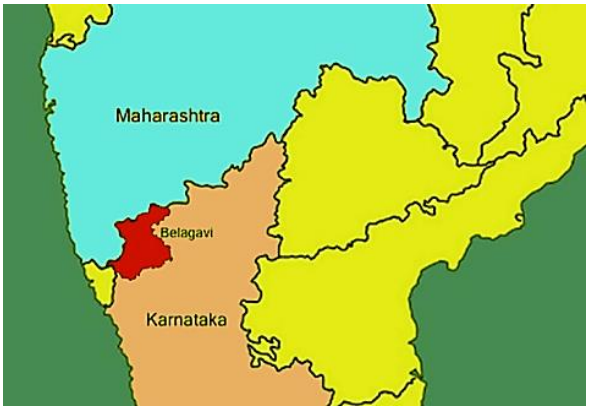


**Basis of Maharashtra's claim on Belgaum**: The essential claim of pro-Marathi groups is that Belagavi is a largely Marathi-speaking region with many parts being exclusively Marathi speaking and that the region should be a part of Maharashtra. Moreover, Maharashtra also points out the historical fact that the revenue records in these Marathi-speaking areas are also kept in Marathi.
Source: https://blog.forumias.com/belgaum-border-dispute-explained-latest-flashpoint-in-belagavi-border-dispute-between-maharashtra-and-karnataka/

**Q.34)** With reference to the Governor of a state in India, consider the following statements:
1. The power of Governor to prorogue the state legislature is not his discretionary power.
2. In some cases, the Governor can refuse the cabinet's recommendation of summoning the legislature.
3. When the Governor uses his discretionary power, his actions cannot be challenged in any court.
Which of the statements given above is/are correct?
a) 1 only
b) 1 and 2 only
c) 3 only
d) 2 and 3 only

**Ans) b**
**Exp) Option b is the correct answer.**
The governor is the constitutional head and he functions as a vital link between the union government and the state government. Article 157 and Article 158 of the Constitution of India specify eligibility requirements for the post of governor. One person can be appointed as Governor for two or more States.
**Statement 1 is correct**: The power of governor to prorogue the House is not his discretionary power. Article 174 provides the governor to summon, prorogue and dissolve the house(s) in consonance with the aid **and advice of the chief minister and his council** of ministers.
**Statement 2 is correct:** The governor can refuse summoning the house **when** the Chief Minister appears to have **lost the majority** and the legislative members of the House propose a no-confidence motion against the Chief Minister, then the Governor can decide on his/her own on summoning the House.
**Statement 3 is incorrect**: The actions of the Governor, when using his discretionary powers can be challenged in court. In **the Nabam Rebia case**, the supreme court said that discretionary power of the Governor is **extremely limited** and entirely **amenable to judicial review**. The governor can summon/dissolve the assembly only when he is satisfied that the cabinet loses the majority.
Source: What the law says about a governor's power to summon, prorogue or dissolve an assembly (theprint.in)
Laxmikanth Chapter 12 Inter-State Relations

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**Q.35)** With reference to law making procedure in India, consider the following statements:
1. The authority to repeal any law is vested with the President under Article 245 of the Constitution.
2. The sunset clause in the legislation allows the law to be activated on a particular date in the future.
3. The Constitution of India does not permit ordinance route for repealing any law in the country.
Which of the statements given above is/are ***incorrect***?
a) 1 and 2 only
b) 2 only
c) 3 and 3 only
d) 1, 2 and 3

**Ans) d**
**Exp) Option d is the correct answer.**
The Prime Minister has announced that the three contentious farm laws would be repealed. The process of repealing the laws will take place in the upcoming Winter Session of Parliament.
**Statement 1 is incorrect.**
**Article 245** of the Indian Constitution which gives Parliament the power to make laws also gives the **legislative body (not President)** the power to repeal them. According to a Lok Sabha secretariat note, "Just as **the Legislature has the power to enact laws, similarly it has the power to repeal laws.** The efficacy of the Legislature depends upon the possession of the power to repeal the existing law, for without this attribute the power to enact would be a nullity, and the body of the law a series of contradictory enactments. Consequently, the legislative power to repeal prior laws is not inhibited by any constitutional prohibitions, but exists as a necessary part and increment of the legislative power and function. No statute can make itself secure against repeal."
**Statement 2 is incorrect.**
In public policy, a **sunset provision or sunset clause** is a measure within a statute, regulation or other law that provides that the law **shall cease to have effect after a specific date**, unless further legislative action is taken to extend the law. It does not activate the law or any provision within the law.
For example, the anti-terror legislation **Terrorist and Disruptive Activities (Prevention) Act 1987, commonly known as TADA,** had a sunset clause, and was allowed to lapse in 1995.
**Statement 3 is incorrect.**
Laws can be repealed in two ways either through an **ordinance or through legislation**. In case an ordinance is used, it would need to be replaced by a law passed by Parliament within six months. If the ordinance lapses because it is not approved by Parliament, the repealed law can be revived.
Source: Explained: The process for repealing a law-ForumIAS Blog
Explained: How a law is repealed in India | India News - Times of India (indiatimes.com)
Explained | How to repeal a law (thehindu.com)

**Q.36)** Consider the following statements with reference to the impact on the state after the President's rule has been imposed:
1. President can take up all the powers of the Governor of the state.
2. President can suspend the State Legislative Assembly but cannot dissolve it.
3. President can declare that the powers of the state legislature are to be exercised by the Parliament.
Which of the statement given above is/are correct?
a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1 and 3 only

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**Ans) d**

**Exp) Option d is the correct answer.**

Under **Article 356 of the Constitution of India**, if a state government is unable to function according to Constitutional provisions, the Union government can take direct control of the state machinery. This is popularly known as **President's Rule**. It is also known as 'State Emergency' or 'Constitutional Emergency'.

**Statement 1 is correct:** The **President acquires extraordinary powers** when the President's Rule is imposed in a state. **He can take up the functions of the state government and powers vested in the governor or any other executive authority in the state.** He can assume to himself **all or any of the powers vested in or exercisable by the Governor** or any body or authority in the State other than the Legislature of the State.

**Statement 2 is incorrect:** The **President can do both i.e., he can either suspend or dissolve the state legislative assembly**. "The state legislative assembly should be dissolved only after the Parliament has approved the presidential proclamation. Until such approval is given, the president can only suspend the assembly."

**Statement 3 is correct: The President** can declare that the powers of the state legislature are to be exercised by the Parliament.

A **law made by the Parliament or president or any other specified authority continues to be operative even after the President's Rule**. This means that the period for which such a law remains in force is not coterminous with the duration of the proclamation. But it can be repealed or altered or re-enacted by the state legislature.

Source: Indian Polity by Laxmikant, 6th Edition Chapter 16

**Q.37)** Which among the following can be a source of non-tax revenue for states in India?

1. Police services
2. Forests
3. Postage
4. Escheat

Select the correct answer using the code given below:

a) 1, 2 and 4 only
b) 2, 3 and 4 only
c) 1, 3 and 4 only
d) 1, 2 and 3 only

**Ans) a**

**Exp) Option a is the correct answer.**

The state receives revenue from both tax and non-tax sources. Tax sources include **State GST, State Excise etc**. The major sources of non-tax revenues of the states come from **irrigation, forests, fisheries, state public sector enterprises and escheat and lapse**. Non-tax revenue can also come from various services that state can provide including **electricity, polices services for providing security, municipal services** etc. Escheat is the right of the government to own unclaimed property and assets. The doctrine of escheat is invoked when a person dies without any will or heirs. **Revenue from postage and telegraph is received by Union and not state.**

Source: Indian Polity by Laxmikant, 6th Edition Chapter 14

**Q.38)** Consider the following statements with reference to the borrowing powers of the states in India:

1. States need to obtain the Centre's consent to borrow, if the state is already indebted to the Centre.
2. The states cannot give the security of the Consolidated Fund of State for borrowing.

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Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

**Ans) a**
**Exp) Option a is the correct answer.**
The constitution has provided for provisions for Union and State government to raise resources from borrowing.
**Statement 1 is correct:** A **state cannot raise any loan without the consent of the Centre**, if there is **still outstanding any part of a loan made to the state by the Centre** or in respect of which a guarantee has been given by the Centre.
**Statement 2 is incorrect:** A **state government can borrow within India upon the security of the Consolidated Fund of the State** or can give guarantees, but both within the limits fixed by the legislature of that state. Thus, **both State and Union Governments have to give the security** of their respective Consolidated Funds.
Source: Indian Polity by Laxmikant, 6th Edition Chapter 14

**Q.39)** Consider the following statements with reference to the Joint State Public Service Commission (JSPSC) and State Public Service Commission (SPSC) in India:
1. JSPSC is a statutory body, while SPSC is a Constitutional body.
2. Both JSPSC and SPSC presents its annual performance report to the President.
3. The Chairperson of both the SPSC and the JSPSC can be removed by the Governor of State.
Which of the statements given above is/are correct?
a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1 and 3 only

**Ans) a**
**Exp) Option a is the correct answer.**
**Statement 1 is correct: SPSC is a Constitutional body. Articles 315 to 323 in Part XIV** of the Constitution also deal with the **composition, appointment and removal of members, power and functions and independence of a SPSC** along with UPSC.
The **Constitution makes a provision for the establishment of a Joint State Public Service Commission (JSPSC)** for two or more states. While the UPSC and the SPSC are created directly by the Constitution, **a JSPSC can be created by an act of Parliament on the request of the state legislatures** concerned. Thus**, a JSPSC is a statutory and not a constitutional body**.
**Statement 2 is incorrect:** A **JSPSC presents its annual performance report to each of the concerned state Governors.** Each Governor places the report before the state legislature. Article 323 mandates that the State Public Service Commission will submit its annual report of its performance to the Governor.
**Statement 3 is incorrect:** The Constitution has made certain provisions to safeguard and ensure the independent and impartial functioning of a SPSC. The **chairman or a member of a SPSC can be removed from office by the president** only in the manner and on the grounds mentioned in the Constitution. Therefore, they enjoy the security of tenure.

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The chairman and members of a JSPSC are appointed by the President. They hold office for a term of six years or until they attain the age of 62 years, whichever is earlier. **They can be suspended or removed by the president.** They can also resign from their offices at any time by submitting their resignation letters to the president.
Source: Indian Polity by Laxmikant, 6th Edition Chapter 44

**Q.40)** Which of the following provisions are included under Special and Differential Treatment (S&DT) under World Trade Organisation?
1. Longer time periods for implementing agreements.
2. Option to opt out of the agreement with certain conditions.
3. Measures to increase trading opportunities.
4. Support to help build the infrastructure to implement technical standard.
Select the correct answer using the codes given below:
a) 1 and 4 only
b) 1, 3 and 4 only
c) 2, 3 and 4 only
d) 1, 2, 3 and 4

**Ans) b**
**Exp) Option b is the correct answer.**
India's Commerce and Industry Minister has said that developed countries linking World Trade Organisation (WTO) reforms with special and differential treatment (S&DT) being provided to poor and developing nations is "unfair".
WTO agreements contain **special provisions** which give **developing countries** special rights and allow other members to treat them more favorably. These are called "**special and differential treatment provisions**" (abbreviated as S&D or SDT)**.**
**Statement 1, 3 and 4 are correct. These special provisions include:**
1) **longer time periods for implementing agreements** and commitments
2) measures to **increase trading opportunities** for these countries
3) provisions requiring all WTO members to **safeguard the trade interests** of developing countries
4) **support to help** developing countries build the **infrastructure to undertake WTO work, handle disputes and implement technical standards.**
5) Provisions related to least-developed country (LDC) members

**Statement 2 is incorrect.** The provisions under **Special and differential treatment (S&DT)** does not include preference to opt out of the agreement under any condition.
Source: WTO | Doha Development Agenda | Briefing notes - Other Doha issues
Developed nations want to expand WTO agenda –Forum IAS Blog

**Q.41)** The Parliament can make any law for whole or any part of India for implementing international treaties:
a) with the consent of all the states.
b) with the consent of the majority of states.
c) with the consent of the states concerned.
d) without the consent of any state.

**Ans) d**
**Exp) Option d is the correct answer.**

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The Parliament can make laws on any matter in the State List for implementing the international treaties, agreements or conventions. It can be done **without the consent of the states.** This provision enables the Central government to fulfil its international obligations and commitments.
Some examples of laws enacted under the above provision are United Nations (Privileges and Immunities) Act, 1947; Geneva Convention Act, 1960; Anti-Hijacking Act, 1982 and legislations relating to environment and TRIPS.
Source) UPSC CSE 2013

**Q.42)** Consider the following statements with reference to the Attorney General and Advocate General:
1. Both Attorney General and Advocate General are full-time counsel for the Government of India and the Government of State respectively.
2. Both the Attorney General and Advocate General has the right to audience in all courts of India.
3. The Attorney General is appointed by the President while Advocate General is appointed by the Governor.
Which of the statement given above is/are correct?
a) 3 only
b) 1 and 3 only
c) 2 and 3 only
d) 1 and 2 only

**Ans) a**
**Exp) Option a is the correct answer.**
**Article 76** provides for the office of the **Attorney General of India**, while **Article 165** provides for the **Advocate General of a State**.
**Statement 1 is incorrect:** The **Attorney General is not a full-time counsel** for the Government. He **does not fall in the category of a government servant**. Further, he is not debarred from private legal practice. Similarly, the Advocate **General is not a full-time counsel** for the state Government.
**Statement 2 is incorrect:** As in the performance of his official duties, the Attorney General has the right of audience in all courts in the territory of India and not the Advocate general of State. In the performance of his official duties**, the Advocate General is entitled to appear before any court of law within the state not across India**.
**Statement 3 is correct:** The **Attorney General (AG)** is appointed by the **President**. The **Advocate General** is appointed by the **Governor**.
Source: Indian Polity by Laxmikanth, 6th Edition Chapter 52 and 53

**Q.43)** Consider the following statements with reference to the National Human Rights Commission (NHRC):
1. It does not have its own investigating staff for investigation into complaints.
2. It can look into a complaint/violation only within one year of its occurrence.
3. It can visit jails and detention places to study the living conditions of inmates.
Which of the statements given above is/ are correct?
a) 1 and 2 only
b) 1 and 3 only
c) 2 and 3 only
d) 1, 2 and 3

**Ans) c**
**Exp) Option c is the correct answer.**

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The **National Human Rights Commission** is a statutory. It was established in 1993 under a legislation enacted by the Parliament, namely**, the Protection of Human Rights Act, 1993.**

**Statement 1 is incorrect: NHRC has its own investigating staff for an investigation into complaints of human rights violations. It is headed by a Director General of Police. B**esides, it is empowered to utilize the services of any officer or investigation agency of the Central government or any state government for the purpose. It has also established effective cooperation with the NGOs with first-hand information about human rights violations.

**Statement 2 is correct:** The **commission is not empowered to inquire into any matter after the expiry of one year from the date on which the act constituting a violation of human rights** alleged to have been committed. In other words, it can look into a matter within one year of its occurrence.

**Statement 3 is correct: NHRC can visit any jail or any other institution where persons are detained or lodged for purposes of reformation, under intimation to the State Government.** It can study the living condition of the inmates and make recommendations thereon.

Source: Indian Polity by Laxmikanth, 6th Edition Chapter 55

**Q.44)** Which among the following is **incorrect** about the powers of the Election Commission of India?

a) It allots election symbols to political parties along with settling disputes related to it.

b) It sets limits on campaign expenditure per candidate for all the political parties.

c) It introduced the Electoral Photo Identity Card for the elections to Lok Sabha in India.

d) It has the power to de-register parties for violations listed in the Representation of People Act, 1951.

**Ans) d**

**Exp) Option d is the correct answer.**

The Election Commission of India is an autonomous constitutional authority responsible for administering Union and State election processes in India. The body administers elections to the Lok Sabha, Rajya Sabha, State Legislative Assemblies in India, and the offices of the President and Vice President in the country**.**

**Option a is correct: The Election Symbols (Reservation and Allotment) Order, 1968 empowers the EC** to recognize political parties and allot symbols. Under Paragraph 15 of the Order, it can decide disputes among rival groups or sections of a recognized political party staking claim to its name and symbol.

**Option b is correct: Election Commission of India sets limits on campaign expenditure** per candidate to all the political parties and also monitors the same. **Under Section 77 of the Representation of the People Act (RPA), 1951,** every candidate shall keep a separate and correct account of all expenditures incurred between the date on which they have been nominated and the date of declaration of the result. An incorrect account or expenditure beyond the cap can lead to disqualification of the candidate by the ECI for up to three years, under RPA, 1951.

**Option c is correct:** The **Election Commission** introduced the Electoral Photo Identity Card (EPIC) in 1994-95 to identify the voters at the time of polls. The Commission **allows certain alternative documents** like government I-cards, passports, **PAN cards, driving license,** bank/post office account passbook, property documents, SC/ST/OBC certificate, pension documents, freedom fighter identity card, arms license, certificate of the physically handicapped, job cards issued under NREGA and health insurance scheme smart cards to establish the identity of the electors in the polling stations. The present coverage of EPIC at the national level has been above 99%.

**Option d is incorrect:** The **Election Commission does not have the power to deregister political parties** even for the gravest violations **under section 29A of the Representation of People Act, 1951**.

Source: https://economictimes.indiatimes.com/news/politics-and-nation/election-panel-renews-proposal-for-power-to-deregister-parties/articleshow/91948667.cms

Indian Polity by Laxmikanth, 6th Edition Chapter 42

https://eci.gov.in/about/about-eci/the-functions-electoral-system-of-india-r2/

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**Q.45)** With reference to Camels in India, consider the following statements:
1. Camels have low gestation period and high meat yield that makes them suitable for domestication purposes.
2. Slaughtering of camels and their temporary migration is prohibited by the Rajasthan government.
3. Population of camels in Rajasthan is declining due to restricted movement caused by Indira Gandhi Canal.
Which of the statements given above is/are correct?
a) 1 only
b) 2 and 3 only
c) 2 only
d) 1, 2 and 3

**Ans) b**
**Exp) Option b is the correct answer.**
**Statement 1 is incorrect.** The **gestation period** of Camel is **15 months long** and has a **limited saleable meat yield** (less than 5 kg a day). Further high cost of maintenance, high cost of milk, and strong flavour of camel milk, all make it **unsuitable for the domesticating camel** for economic benefits.
**Statement 2 is correct.** Rajasthan's government enacted The **Rajasthan Camel (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, 2015**. The Act aims to prohibit the slaughter of camels and also to **regulate their temporary migration or export from Rajasthan**. But the Act does not show positive results. Camels are now sold in the grey market, further driving down camel prices. Camels that should normally command a price of Rs 40,000 plus, reportedly sell in this grey market for less than Rs 5,000. The ban has benefitted only the meat traders and corrupt officials.
**Statement 3 is correct.** According to the article published in National Geographic, the camel population in India has been in decline, especially in Rajasthan because of the **Indira Gandhi Canal which hampered the movement of Raikas and Camels.**
**Other reason for declining Camel Population:**
1) **Change in lifestyle**: Replacement of the nomadic-pastoral way of life by agriculture. Individually owned farmlands that are often fenced restrict the movements of camels. Camels are rarely used for ploughing along with that shrinking of grazing grounds, shortage of fodder also a reason for reduced camel population.
2) **Other means of transport**: Camels are replaced largely by road networks.
3) **Fewer benefits for Raikas:** Raikas do not sell dead camels for their bones and also do not eat camel meat. Raikas believe they were born of Lord Siva's skin to protect camels.

Source: Decline in India's camel population is worrying-ForumIAS Blog

**Q.46)** Consider the following statements with reference to the Central Bureau of Investigation (CBI):
1. The CBI is completely exempted from the Right to Information Act, 2005.
2. The CBI can investigate for cross-border crimes.
3. The sanction of state governments is required by CBI under all circumstances.
Which of the statements given above is/ are correct?
a) 2 only
b) 2 and 3 only
c) 1 and 2 only
d) 1, 2 and 3

**Ans) a**
**Exp) Option a is the correct answer**

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The **establishment of the CBI was recommended by the Santhanam Committee** on Prevention of Corruption. The **CBI is not a statutory body** but derives its power to investigate from the **Delhi Special Police Establishment Act, 1946.**

**Statement 1 is incorrect**:

The Section 24 of the RTI Act exempts security and intelligence agencies including the CBI from the ambit of the transparency law **except for that related to the allegations of corruption and violations of human rights.**

**Statement 2 is correct:** The Central Bureau of Investigation (CBI) is works closely with international law enforcement agencies to geo locate criminals and fugitives and ensure their return to India**. CBI is a premier investigative agency and it has substantial experience in investigating complex crimes with international linkages**. for example, recently the Central Bureau of Investigation probe into cow smuggling along the India-Bangladesh border.

**Statement 3 is incorrect:** According **to Section 6 of the Delhi Special Police Establishment Act of 1946 under which the CBI functions, the State's consent is required** to extend CBI investigation beyond Union Territories. The **Supreme Court and High Courts, however, can order CBI to investigate a crime anywhere in the country without the consent of the state**. This is usually done for exceptional and rare cases. Thus, permission is not required for all cases.

Source: Indian Polity by Laxmikanth, 6th Edition Chapter 61

https://economictimes.indiatimes.com/news/politics-and-nation/cbi-cant-take-refuge-in-exemption-clause-under-rti-act-to-deny-info-on-corruption-cases-cic/articleshow/72366646.cms?from=mdr

https://www.deccanherald.com/national/north-and-central/cbi-asked-to-apply-rationale-in-seeking-rti-exemptions-763616.html

**Q.47)** Consider the following statements with reference to the National Commission for Scheduled Tribes (NCST):

1. The Chairperson of the NCST must be appointed only from the ST Community.
2. The Central government and the state governments are mandated to consult the NCST on all major policy matters affecting the STs.
3. NCST can suggest measures to be taken to ensure full implementation of the Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996.

Which of the statements given above is/are correct?

a) 1 and 2 only
b) 3 only
c) 2 and 3 only
d) 1, 2 and 3

**Ans)** c

**Exp) Option c is the correct answer.**

**Article 338-A** in the Constitution provides for the **National Commission for Scheduled Tribes (NCST)**.

**Statement 1 is incorrect:** NCST **consists of a chairperson, a vice-chairperson and three other members.** They are appointed by the President by warrant under his hand and seal. Their conditions of service and tenure of office are also determined by the President. It is **not mandated that the chairman be from the ST community only.** This is followed more as a convention.

**Statement 2 is correct:** The Centre as well as **state governments need to consult the National Commission for Scheduled Tribes (NCST) on all major policy matters**, according to the rules of procedure from 2021. However, the rules have not specified what major policy matters would need to be referred to the NCST.

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**Statement 3 is correct:** Several functions have been provided by the President to the NCST. It includes the **measures that need to be taken to ensure full implementation of the Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996.**
Source: Indian Polity by Laxmikanth, 6th Edition Chapter 48

**Q.48)** Which of the following bodies are under the administrative control of the Ministry of Personal, Public Grievances and Pensions?
1. Union Public Service Commission
2. Central Bureau of Investigation
3. Central Vigilance Commission
4. Central Information Commission
Select the correct answer using the code given below:
a) 1 and 3 only
b) 1 and 4 only
c) 2, 3 and 4 only
d) 1, 2, 3 and 4

**Ans) d**
**Exp) Option d is the correct answer.**
The **Ministry of Personnel, Public Grievances and Pensions is the coordinating agency of the Central Government** in personnel matters specially issues concerning recruitment, training, career development, staff welfare as well as the post retirement dispensation. Allocation of Business Rules defines the work allotted for the Ministry. The **Ministry handles most of autonomous central bodies such as UPSC, CBI, CVC, CIC, SSC, Lokpal among others**.
**1, 2, 3 and 4 are correct**
**UPSC is a Constitutional Body under Article 315-323** Part XIV Chapter II of the Constitution of India to discharge their duties, functions, and obligations assigned under Article 320. The U**PSC conducts various examinations in accordance with the Rules of examination as notified by the Government of India** in a just, fair and impartial manner for making a merit-based selection and recommendation of candidates for various Group A and Group B Services of the Govt. of India. **Central Bureau of Investigation (CBI) is the premier investigating police agency** in India. CBI also provides assistance to the Central Vigilance Commission and Lokpal. C**entral Vigilance Commission is the apex vigilance institution,** free of control from any executive authority, monitoring all vigilance activity under the Central Government and advising various authorities in Central Government organizations in planning, executing, reviewing and reforming their vigilance work. The **Chief Information Commission (CIC) is the authorized body in India to act upon complaints received from individuals who have been unable to submit requests of information to a Central or State Public Information Officer** due to either the officer not having been appointed, or the respective officer refused to entertain the application under the Right to Information Act (RTI Act).
Source: https://dopt.gov.in/about-us/functions/organisation-under-mop-list

**Q.49)** With reference to Centre-State relations on matters enumerated in the Concurrent List, consider the following statements:
1. In case of any dispute in jurisdiction of subjects, Concurrent List takes precedence over both the State List and the Union list.
2. Generally, the state government executes laws on Concurrent subject even if enacted by the Centre.
3. The President can legislate on subjects in concurrent list, only if authorised by both houses of Parliament.

Which of the statements given above is/ are correct?
a) 1 and 2 only
b) 2 only
c) 2 and 3 only
d) 1, 2 and 3

**Ans) b**
**Exp) Option b is the correct answer.**
The constitution of India has **divided legislative subject**s into **3 categories** - **Union List, State List** and **Concurrent List** (enumerated in **Schedule VII**). The **Concurrent List** contains subjects/ matters on which **both the Centre and the states** are **free to make laws**.
**Statement 1 is incorrect:**
In **case of any dispute or overlap** in jurisdiction of subjects, the Constitution provides that **Union List** takes the **precedence over both the others**, f**ollowed by the Concurrent List** which takes **precedence over State List** (not the Concurrent List taking the predominance over **Union and state** List). Hence this statement is **incorrect.**
**Statement 2 is correct:** The Constitution has provided that the **Execution of a law** enacted on a **subject** in the **Concurrent list lies with** the **state government ordinarily**. This means **even if** that particular **legislation on Concurrent list subject** has been **enacted by the Union**, it is **executed by the state government**. Hence this statement is **correct**.
It must be noted that **this is the case ordinarily**. In **special circumstances** if there is a **specific provision** in the **Constitution** or some l**aw passed by the Parliament**, **entrusting the execution** of laws on certain Concurrent List subjects to the **Centre**, then the **state does not have any role** to play. However, this is the **exception not the rule**.
**Statement 3 is incorrect:** The President is a part of the Executive. As such the Constitution does not provide for the **President/Executive to legislate on any matter, be it in Concurrent list, or Union or State List**. This is under the principle of 'Separation of Powers'. The President can only promulgate ordinances, that too when the **Parliament is not in session (Thus it is the Council of Ministers, not the parliament, on the directions of which President promulgate ordinances)**. Hence this statement is incorrect.
Source: Indian Polity by Laxmikanth, 5th edition, Ch-14, Pg-14.2, 14.3, 14.4

**Q.50)** Consider the following statements regarding Like-Minded Developing Countries (LMDC):
1. It is a group of small islands developing countries situated in Indian and Pacific oceans.
2. The exclusive focus of the group is to convince powerful nations to curb their carbon emissions sharply.
3. Recently, the Ministerial Meeting of Like-Minded Developing Countries was hosted by India.
Which of the statements given above is/are **incorrect**?
a) 1 and 2 only
b) 2 only
c) 3 only
d) 1, 2 and 3

**Ans) d**
**Exp) Option d is the correct answer.**
**Statement 1 is incorrect. Like-Minded Developing Countries (LMDC)** is a group of developing countries who have organised themselves as **block negotiators in international organizations** such as the United Nations and the World Trade Organization. They represent **more than 50%** of the world's population.

**Small Island Developing States (SIDS)** are group of small islands developing countries situated in Indian and Pacific oceans. It is a distinct group of 38 UN Member States and 20 Non-UN Members/Associate Members of United Nations regional commissions that face unique social, economic and environmental vulnerabilities.

**Statement 2 is incorrect.** The focus of Like-Minded Developing Countries is **not exclusively on climate issues**. It deals with **all the major issues** that impacts the developing world like trade, multilateral reforms, health etc.

They have organised themselves as **block negotiators in international organizations such as the United Nations and the World Trade Organization.**

**Statement 3 is incorrect.** The ministerial meeting of LMDC was hosted by **Bolivia (not India) recently**. At the ministerial meeting of the Like-Minded Developing Countries (LMDC), India has said that climate finance cannot continue at the levels decided in 2009 and emphasised that it should be at least $1 trillion to meet the goals of addressing climate change.

Source: India calls for hike in climate finance to $1trillion -ForumIAS Blog

Small island nations threatened by climate change seek voice in U.N. negotiations : NPR

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